

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:24-cv-01347-KK-PD Date: September 26, 2024

Title *Valerie L. Flores v. Amber Vang, et. al.*

Present: The Honorable: Patricia Donahue, United States Magistrate Judge

Isabel Verduzco
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

N/A

N/A

Proceedings: (In Chambers) Order to show Cause Re: Dismissal

Plaintiff Valerie L. Flores, filed a civil rights complaint against Defendants (1) Amber Vang, a social worker employed at the Sacramento Family Justice Center, in Sacramento, California; (2) the Sacramento Family Justice Center itself; (3) “Unknown African American Female Social Worker Co-Worker” (4) Rebecca Irwin, a social worker employed at either the San Bernardino Public Defender's Office, in San Bernardino, California, or at the Sacramento Family Justice Center; (5) “San Bernardino County/West Valley Detention Ctr./GHRC,” located in San Bernardino, California; (6) Jessica Gandara, Esq.; (7) the San Bernardino District Attorney; (8) the San Bernardino Public Defender's Office; (9) “Hotline Bail Bonds (California)”;

(10) Dr. Charles Leeb; (11) Dr. Adnara Velazquez; and (12) Dr. Veronica Montes.¹ [Dkt. No. 1 at 1-4.²]

¹ On June 14, 2024, the case was transferred pursuant to 28 U. S. C. § 1406(a) from the United States District Court for the Southern District of New York to the United States District Court for the Central District of California. [See Dkt. No. 4.]

² The Court uses the page numbers inserted on the pleadings by the electronic docketing system.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:24-cv-01347-KK-PD Date: September 26, 2024Title *Valerie L. Flores v. Amber Vang, et. al.*

Plaintiff alleges that Defendants violated her rights under the Fifth, Sixth, Eighth, and Fourteenth Amendments. [Id.] She also alleges that she is being detained on false criminal charges, was a victim of medical malpractice, is being denied speedy trial rights, was provided with incompetent legal counsel, and that the City of Victorville is charging excessive bail. [Id.] Plaintiff's prayer for relief includes: a refund of \$4,500 from Hotline Bail Bonds, damages of \$4,500 from Pretrial Services for the injuries she sustained from her ankle monitor, \$70,000 from California Crime Victim, a refund and damages totaling \$8,000 from Enterprise Rent-A-Car Company, dismissal of her charges and release from custody, removal of her DNA and fingerprints from FBI database, criminal charges brought against the unidentified people who stole her items from her rental car, and a restraining order from the Sacramento Family Justice Center. [Id. at 5.]

On July 31, 2024, the Court screened the Complaint pursuant to 28 U.S.C. § 1915(e)(2) and dismissed the Complaint for: (1) failing to adhere to Rule 8 of the Federal Rules of Civil Procedure; (2) failing to state a cognizable constitutional claim under 42 U.S.C. § 1983; (3) Plaintiff's claims against Defendant San Bernardino District Attorney's Office are barred by the Eleventh Amendment; and (4) Plaintiff's request for criminal prosecution of Defendants is not cognizable. [Dkt. No. 8.] The Order granted Plaintiff leave to file a First Amended Complaint by August 30, 2024. [Id.] The deadline for filing Plaintiff's First Amended Complaint has passed, and Plaintiff has neither filed her First Amended Complaint nor communicated with the Court about her case since July 1, 2024. [Dkt. No. 5.]

Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, an action may be subject to involuntary dismissal if a plaintiff "fails to prosecute or to comply with these rules or a court order." Accordingly, the Court could properly recommend dismissal of the action for Plaintiff's failure to timely comply with the Court's July 31, 2024 Order.

However, in the interests of justice, **Plaintiff is ORDERED TO SHOW CAUSE on or before October 15, 2024**, why the Court should not recommend that this action be dismissed for failure to prosecute.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:24-cv-01347-KK-PD Date: September 26, 2024

Title *Valerie L. Flores v. Amber Vang, et. al.*

Plaintiff may discharge this Order by filing:

- (1) a request setting forth good cause for an extension of time to file a First Amended Complaint and a declaration signed under penalty of perjury, explaining why she failed to comply with the Court's July 31, 2024 Order; or
- (2) a First Amended Complaint.

Alternatively, if Plaintiff does not wish to pursue this action, she may file a signed document entitled "Notice of Voluntary Dismissal" pursuant to Rule 41(a)(1)(A).

The Clerk is directed to provide Plaintiff with a Form CV-09 Notice of Dismissal.

Plaintiff is advised that her failure to timely comply with this order may result in the dismissal of the case pursuant to Fed. R. Civ. P. 41(b) and Local Rule 41-1.

Attachments:

--Notice of Voluntary Dismissal (CV-09)